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March 27, 1987

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Mr. Marc M. Radell
Assistant Regional Counsel
United States Environmental
Protection Agency - Region 5
230 South Dearborn Street
Chicago, Illinois 60604

Re: Gary Development Co., Inc.
Docket No. RCRA-V-W-86-R-45

Dear Mr. Radell:

I have provided my client with copies of your proposed exhibits as well as your Proposed Stipulations of Facts. Gary Development is not acceptable to most of these proposed stipulations, and any matters of agreement have already been set forth in Gary's Answer to the Complaint and compliance Order. Our review of EPA's proposed exhibits confirms our belief and position that EPA's claims are unfounded.

I note that you have suggested a hearing be held in Chicago. We do not believe this to be appropriate considering your case is based nearly entirely on documents located within the state of Indiana and relates to a facility located within the state of Indiana. We would instead suggest that the hearing be held at the Respondent's facility located at Gary, Indiana. I would assume this would assist in the subpoenaing of records and documents because the vast majority of both appear to be located in Indiana.

Very truly yours,

PARR, RICHEY, OBREMSKEY & MORTON

By Warren D. Krebs

WDK/th

cc: The Honorable J. F. Greene ✓
Mr. Larry Hagen, Vice President
Gary Development Company, Inc.

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